

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.:

MICHAEL PACHOLSKI,
Plaintiff

vs.

AIG INSURANCE COMPANY,
Defendant

04 - 30003 - MAP

FILING FEE PAID:

RECEIPT # 305470

AMOUNT \$ 150.00

BY DPTY CLK MEH

DATE 1/6/04

NOTICE OF REMOVAL

To the Judges of the United States District Court for the
Western District of Massachusetts:

1. On or about May 22, 2003, an action was commenced by the above-referenced plaintiff against AIG Insurance Company in the Superior Court of the Commonwealth of Massachusetts, Hampden County, Civil Action No. 2003-539. Copies of the complaint, as well as all documents received from the Plaintiff relating to service are attached hereto as Exhibit A. Pursuant to Local Rule 81.1, certified copies of all documents filed in Hampden Superior Court will be forwarded to the Court within thirty (30) days of the filing of the instant Notice of Removal.

2. The plaintiff is an individual who alleges that he is a resident of Long Meadow, Massachusetts.

3. The defendant is a corporation with a principal place of business in Wilmington Delaware.

4. The plaintiff's complaint alleges damages as a result of the defendant not complying with the Cooper Industries employees' accidental death and dismemberment benefit plan. (See Exhibit A)

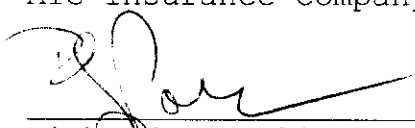
5. The Cooper Industries employees' accidental death and dismemberment benefit is governed by the Employee Retirement Income Security Act (ERISA).

6. The Court has Federal Question Jurisdiction pursuant to 28 U.S.C. § 1331.

6. For the reasons stated above, removal of this action to this court is authorized by 28 U.S.C. § 1441.

7. Counsel for the defendant hereby certifies that this Petition is brought in good faith and in accord with Rule 11 of the Federal Rules of Civil Procedure.

Respectfully submitted,
The Defendant,
AIG Insurance Company



Richard J. Poliferno
LONG & HOULDEN
100 Summer Street
Boston, MA 02110
Tel. (617) 439-4777
BBO# 402120

DEPARTMENT OF SERVICE
I, _____, hereby certify
this day, served a copy of the
document(s) by (hand) (first
class mail, postage prepaid) to all
counsel of record.

DEPT# 402120
DATE: 01/06/04

Michael Pacholski
vs

05-22-2003

AIG Ins. Co.

COMPLAINT

Michael Pacholski, plaintiff, was a participant in the Cooper Industries employees' accidental death and dismemberment benefit plan PAI 8046057. (the plan)

The provisions of the plan states if a member becomes permanent and total disable and is continuously disabling as a result of the injury within three hundred and sixty-five days of the accidents as to be prevented from engaging in any gainful occupation. The company will pay the covered person, after such person has been so disable for twelve (12) consecutive mo. the principal sum as stated in the policy.

I have been deemed to be total disabled by Social Security. I have been receiving disability benefit since May 1998, by my doctors Dr. Glynn and Dr. McKee and your doctor Dr. Grove. All four have considered me to be total and permanent disabled.

To date AIG has not lived up to their commitments.